

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17301 of 2021

Arising Out of PS. Case No.-177 Year-2020 Thana- JOGBANI District- Araria

SUDHIR KUMAR S/o Sri Arun Paswan Resident of Village- Matiyari Ward
No.-02, P.s.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 31-08-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Jogbani (Bathnaha) P.S.
Case No. 177 of 2020, registered for the offence punishable
under Section 376(D) of the Indian Penal Code.

As per the prosecution case, this petitioner along with
co-accused Vikash Paswan committed gang rape with the
informant on the alleged date and time of occurrence.

It is submitted on behalf of the petitioner that
petitioner has not committed any offence and being driver
falsely implicated in this case and matter has been compromised
between the parties. The victim has specifically stated that



petitioner is outside the vehicle and has not committed any sexual assault. Petitioner is in custody since 25.07.2020 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail and submitted that victim girl (informant) has supported the prosecution case in her statement under Section 164 Cr.P.C.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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